

Message Text

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PAGE 01 STATE 133558
ORIGIN EB-08

INFO OCT-01 EUR-12 EA-12 IO-14 ISO-00 SIG-03 AGRE-00
CEA-01 CIAE-00 COME-00 DODE-00 FRB-01 H-02 INR-10
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-02 CTME-00
AID-05 SS-15 STR-07 ITC-01 TRSE-00 ICA-20 SP-02
SOE-02 OMB-01 DOE-15 /151 R

DRAFTED BY EB/OT/STA:W T DIROLL:CMS
APPROVED BY EB/OT/STA:T F O'HERRON
-----117236 260410Z /14

R 251940Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY SEOUL
AMEMBASSY TAIPEI
AMEMBASSY TOKYO
AMEMBASSY PARIS
AMEMBASSY BRUSSELS
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY STOCKHOLM
AMEMBASSY DUBLIN
USMISSION GENEVA
AMCONSUL DUSSELDORF

UNCLAS STATE 133558

E.O. 11652:N/A

TAGS: ETRD

SUBJECT: STAINLESS STEEL FLATWARE: STR INVITES INTERESTED
PARTY VIEWS ON DISPOSITION OF USITC REPORT

REFS: A) STATE 87866, B) STATE 108251
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 133558

1. IN REFTTEL (B) WE ADVISED THAT THE USITC HAD FOUND THAT
INCREASED IMPORTS WERE A SUBSTANTIAL CAUSE OF SERIOUS
INJURY OR THREAT THEREOF TO THE UNITED STATES INDUSTRY AND
HAD RECOMMENDED THE PROVISION OF RELIEF IN THE FORM OF
INCREASED TARIFF RATES FOR A PERIOD OF FIVE YEARS. ON
MAY 8 THE COMMISSION TRANSMITTED THE REPORT OF ITS FINDINGS

TO THE PRESIDENT. TO ASSIST THE INTERAGENCY GROUP WHICH IS CONSIDERING THE REPORT, STR HAS ISSUED A NOTICE, PUBLISHED IN THE MAY 12 FEDERAL REGISTER, INVITING INTERESTED PARTIES TO SUBMIT VIEWS ON THE COMMISSION'S FINDINGS AND RECOMMENDATIONS AND ON THE VARIOUS FACTORS WHICH SECTION 202(C) OF THE TRADE ACT OF 1974 SPECIFIES ARE TO BE TAKEN INTO ACCOUNT IN ARRIVING AT A DECISION ON THE DISPOSITION OF THE USITC REPORT. THE TEXT OF THE NOTICE IS AS FOLLOWS:

2. PURSUANT TO SECTION 201 OF THE TRADE ACT OF 1974, ON MAY 8, 1978, THE PRESIDENT RECEIVED A REPORT FROM THE UNITED STATES INTERNATIONAL TRADE COMMISSION (USITC) ON THE

CASE OF CERTAIN STAINLESS STEEL FLATWARE (INVESTIGATION NO. TA-201-30). THE COMMISSION SUBMITTED A REPORT CONTAINING AN AFFIRMATIVE DETERMINATION THAT CERTAIN STAINLESS STEEL FLATWARE, PROVIDED FOR IN ITEMS 650.08, 650.09, 650.10, 650.12, 650.38, 650.39, 650.40, 650.42, 650.54, 650.55 AND IF INCLUDED IN SETS, 651.75 OF THE TARIFF SCHEDULES OF THE UNITED STATES (TSUS), ARE BEING IMPORTED INTO THE UNITED STATES IN SUCH INCREASED QUANTITIES AS TO BE A SUBSTANTIAL CAUSE OF SERIOUS INJURY, OR THE THREAT THEREOF, TO THE DOMESTIC INDUSTRY PRODUCING ARTICLES LIKE OR DIRECTLY COMPETITIVE WITH THE IMPORTED ARTICLES.

THE COMMISSION FINDS AND RECOMMENDS THAT, TO PREVENT OR UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 133558

REMEDY THE SERIOUS INJURY TO THE DOMESTIC INDUSTRY, IT IS NECESSARY TO IMPOSE RATES OF DUTY, IN LIEU OF THE PRESENT RATES OF DUTY, WITH RESPECT TO U.S. IMPORTS OF KNIVES, FORKS, SPOONS, AND LADLES, HAVING STAINLESS STEEL HANDLES, VALUED UNDER 60 CENTS EACH, AS FOLLOWS:

KNIVES AND FORKS: VALUED UNDER 25 CENTS EACH (TSUS ITEMS 650.08, 650.10, 650.38, AND 650.40).

FIRST YEAR--1 CENT EACH PLUS 55 PCT AD VALOREM
SECOND YEAR--1 CENT EACH PLUS 50 PCT AD VALOREM
THIRD YEAR--1 CENT EACH PLUS 45 PCT AD VALOREM
FOURTH YEAR--1 CENT EACH PLUS 40 PCT AD VALOREM
FIFTH YEAR--1 CENT EACH PLUS 30 PCT AD VALOREM

VALUED 25 CENTS OR MORE BUT UNDER 60 CENTS EACH (TSUS ITEMS 650.09, 650.12, 650.39, AND 650.42).

FIRST YEAR--0.5 CENT EACH PLUS 55 PCT AD VALOREM
SECOND YEAR--0.5 CENT EACH PLUS 50 PCT AD VALOREM
THIRD YEAR--0.5 CENT EACH PLUS 45 PCT AD VALOREM
FOURTH YEAR--0.5 CENT EACH PLUS 40 PCT AD VALOREM
FIFTH YEAR--0.5 CENT EACH PLUS 30 PCT AD VALOREM

SPOONS VALUED UNDER 60 CENTS EACH (TSUS ITEMS 650.54 AND 650.55).

FIRST YEAR--55 PCT AD VALOREM

SECOND YEAR--50 PCT AD VALOREM

THIRD YEAR--45 PCT AD VALOREM

FOURTH YEAR--40 PCT AD VALOREM

FIFTH YEAR--30 PCT AD VALOREM

UNDER TSIS ITEM 651.75, KNIVES, FORKS, SPOONS, AND LADLES HAVING STAINLESS STEEL HANDLES WILL CONTINUE TO BE DUTIABLE AT THE RATE OF DUTY APPLICABLE TO THAT ARTICLE IN THE SET SUBJECT TO THE HIGHEST RATE OF DUTY INCLUDING, FOR SUCH ARTICLES VALUED AT UNDER 60 CENTS EACH, THE RATES RECOMMENDED ABOVE.

UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 133558

WITHIN 60 DAYS OF RECEIVING A REPORT FROM THE COMMISSION CONTAINING AN AFFIRMATIVE DETERMINATION, THE PRESIDENT MUST DETERMINE WHAT METHOD AND AMOUNT OF IMPORT RELIEF HE WILL PROVIDE OR DETERMINE THAT THE PROVISION OF RELIEF IS NOT IN THE NATIONAL ECONOMIC INTEREST, AND WHETHER HE WILL DIRECT EXPEDITIOUS CONSIDERATION OF ADJUSTMENT ASSISTANCE PETITIONS.

IN DETERMINING WHETHER TO PROVIDE IMPORT RELIEF AND WHAT METHOD AND AMOUNT OF IMPORT RELIEF HE WILL PROVIDE, THE PRESIDENT MUST TAKE INTO ACCOUNT, IN ADDITION TO OTHER CONSIDERATIONS HE MAY DEEM RELEVANT, THE FOLLOWING FACTORS:

(1) THE PROBABLE EFFECTIVENESS OF THE IMPORT RELIEF AS A MEANS TO PROMOTE ADJUSTMENT, THE EFFORTS BEING MADE OR TO BE IMPLEMENTED BY THE INDUSTRY CONCERNED TO ADJUST TO IMPORT COMPETITION AND OTHER CONSIDERATIONS RELEVANT TO THE POSITION OF THE INDUSTRY IN THE NATION'S ECONOMY;

(2) THE EFFECT OF IMPORT RELIEF ON CONSUMERS AND ON COMPETITION IN THE DOMESTIC MARKETS FOR SUCH ARTICLES;

(3) THE EFFECT OF IMPORT RELIEF ON THE INTERNATIONAL ECONOMIC INTEREST OF THE UNITED STATES;

(4) THE IMPACT ON UNITED STATES INDUSTRIES AND FIRMS AS A CONSEQUENCE OF ANY POSSIBLE MODIFICATION OF DUTIES OR OTHER IMPORT RESTRICTIONS WHICH MAY RESULT FROM INTERNATIONAL OBLIGATIONS WITH RESPECT TO COMPENSATION;

(5) THE GEOGRAPHIC CONCENTRATION OF IMPORTED PRODUCTS
UNCLASSIFIED

UNCLASSIFIED

PAGE 05 STATE 133558

MARKETED IN THE UNITED STATES;

(6) THE EXTENT TO WHICH THE UNITED STATES MARKET IS A FOCAL POINT FOR EXPORTS OF SUCH ARTICLES BY REASON OF RESTRAINTS ON EXPORTS OF SUCH ARTICLE TO, OR ON IMPORTS OF SUCH ARTICLE INTO, THIRD COUNTRY MARKETS; AND

(7) THE ECONOMIC AND SOCIAL COSTS WHICH WOULD BE INCURRED BY TAXPAYERS, COMMUNITIES AND WORKERS IF IMPORT RELIEF WERE OR WERE NOT PROVIDED.

THE OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS CHAIRS THE INTERAGENCY TRADE POLICY COMMITTEE STRUCTURE THAT MAKES RECOMMENDATIONS TO THE PRESIDENT AS TO WHAT ACTION, IF ANY, HE SHOULD TAKE ON REPORTS SUBMITTED BY THE USITC UNDER SECTION 201(D). IN ORDER TO ASSIST THE TRADE POLICY STAFF COMMITTEE IN DEVELOPING RECOMMENDATIONS TO THE PRESIDENT AS TO WHAT ACTION TO TAKE UNDER SECTIONS 202 AND 203 OF THE TRADE ACT OF 1974, THE COMMITTEE WELCOMES BRIEFS FROM INTERESTED PARTIES ON THE ABOVE LISTED SUBJECTS. (ADDITIONAL INFORMATION ON THIS CASE IS AVAILABLE IN USITC REPORT 201-30).

BRIEFS SHOULD BE SUBMITTED IN TWENTY (20 COPIES TO SECRETARY, TRADE POLICY STAFF COMMITTEE, ROOM 728, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS, 1800 G STREET N.W., WASHINGTON, D.C. 20506.

TO BE CONSIDERED BY THE TRADE POLICY STAFF COMMITTEE, SUBMISSIONS SHOULD BE RECEIVED IN THE OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS NO LATER THAN THE CLOSE OF BUSINESS TUESDAY, MAY 30, 1978.
END TEXT.

CHRISTOPHER
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PAGE 06 STATE 133558

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REPORTS, IMPORTS, POLICIES, STAINLESS STEELS, TARIFFS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE133558
Document Source: CORE
Document Unique ID: 00
Drafter: W T DIROLL:CMS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780222-0263
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780518/aaaaaotl.tel
Line Count: 217
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8d7e3096-c288-dd11-92da-001cc4696bcc
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Review Release Event: n/a
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Type: TE
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